



# Department of Justice

**United States Attorney Benjamin B. Wagner  
Eastern District of California**

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## **OVER \$109 MILLION RECOVERED BY U.S. ATTORNEY'S OFFICE IN 2009**

SACRAMENTO, Calif.—United States Attorney Benjamin B. Wagner announced today that the United States Attorney's Office for the Eastern District of California (EDCA) recovered a total of \$109,365,779 in calendar year 2009 through various civil and criminal proceedings. The figure reflects funds actually received during the year, and does not include additional amounts awarded in judgments yet to be collected.

Recoveries by the U.S. Attorney's Office come in a variety of forms, such as restitution for victims of crimes, forfeitures of assets used in criminal activity, and judgments in civil cases brought on behalf of the United States. The Asset Forfeiture and Financial Litigation Units, which are part of the Civil Division of the U.S. Attorney's Office, are responsible for proceedings involving the recovery of funds. The \$109 million recovered in 2009 is at least six times the total annual operating budget of the U.S. Attorney's Office, and at least fifty times the annual budget of the Asset Forfeiture and Financial Litigation Units within the Office.

U.S. Attorney Wagner said: "Year after year, this office recovers far more money for the American taxpayer and for the victims of crime than it costs to operate this office. Through the outstanding work of the dedicated attorneys and staff in the Asset Forfeiture and Financial Litigation Units, this office will continue to be a vigilant steward of the taxpayer's funds. Our responsibility is not only to convict those who violate federal law, but also to ensure that crime does not pay, that victims receive the restitution they are due, and that the United States recovers funds that it is fairly owed."

### **Asset Forfeitures**

The Office concluded 87 judicial forfeiture proceedings during 2009, collecting a total of \$6,057,575 in forfeited assets, generally representing proceeds of criminal activity or funds used to facilitate criminal activity.

Through the U.S. Justice Department's restoration and remission programs, \$1,409,522 of the forfeited assets were delivered to victims of the specific crimes giving rise to the forfeitures, to compensate the victims for their losses. Another \$1,314,291 of the forfeited assets were delivered to cooperating federal, state, and local law enforcement agencies through the Justice Department's "equitable sharing" program. Under the program, any federal, state or local law enforcement agency that directly participates in an investigation or prosecution that results in a forfeiture may request a share of the proceeds.

In one forfeiture of \$282,247 related to drug crimes, for example, a total of \$218,684 was shared with the Amador County Sheriff, the El Dorado County Sheriff, the Placer County Sheriff, the Auburn Police Department, Placer Law Enforcement Agencies Special Investigations Unit, the California Bureau of Narcotic Enforcement, and the Yolo County Narcotic Enforcement Team. The funds provided to local law enforcement through the equitable sharing of forfeited assets must be used for law enforcement purposes such as investigations, training, drug and gang education and awareness programs, equipment, community-based programs, and detention facilities.

### **Collection of Civil and Criminal Debts**

Apart from forfeitures, the U.S. Attorney's Financial Litigation Unit collected a total of \$103,308,203 on civil and criminal debts. Among civil collections, \$98,664,353 resulted from payments to the United States on judgments as a result of civil cases in fraud, fire, and environmental cases. Another \$639,741 was collected on defaulted government loans and overpayments of Social Security, Medicare and other federal benefits.

In addition, the Financial Litigation Unit recovered nearly \$4 million on judgments in criminal cases. Of that amount, \$2,932,643 was collected on restitution orders for the purpose of compensating victims of crimes like fraud and embezzlement. In one such case, the United States Attorney obtained a writ of garnishment on a 401(k) retirement account owned by a woman convicted of bankruptcy fraud, after she failed to make restitution payments to defrauded creditors for years. She then promptly delivered a cashier's check for \$81,883, paying her restitution obligation in full. In another case, the Office garnished \$176,053 from a convict's 401(k) and Roth retirement accounts, which will be distributed to the cities of Sacramento, San Francisco and Napa as restitution for a kickback scheme affecting their water departments.

An additional \$573,973 was collected on criminal fines and statutory assessments to benefit the federal Crime Victims Fund, and \$451,846 was collected on criminal judgments to compensate federal agencies' losses from frauds and other crimes.

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